

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed September 20, 2006 (the "Office Action"). At the time of the Office Action, Claims 1-20 were pending in the Application. The Office Action rejects these claims. In order to advance prosecution of this Application, Applicants amend Claims 1 and 11 and cancel Claims 2, 10, 12 and 20. Applicants respectfully request reconsideration and favorable action in this case.

Rejections

The Office Action rejects Claims 1 and 11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,400,859 issued to de Boer et al ("*de Boer*"). The Office Action rejects Claims 1-5, 7-15 and 17-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,072,580 issued to Arecco et al ("*Arecco*"). The Office Action rejects Claims 6 and 16 under 35 U.S.C. § 103(a) as being unpatentable over *Arecco* in view of U.S. Patent No. 5,612,805 issued to Fevrier et al ("*Fevrier*"). Applicants respectfully traverse these rejections.

Amended Claim 1 recites "the second RIC node comprising a rejection block operable to detect traffic of one or more wavelengths to determine when the first RIC node is unable to communicate optical traffic between the first and second optical ring networks." Amended Claim 11 recites "detecting traffic of one or more wavelengths at a rejection block to determine when the first RIC node is unable to communicate optical traffic between the first and second optical ring networks" Elements similar to these recited in Claims 1 and 11 were previously recited in Claims 10 and 20, respectively. In its rejection of Claims 10 and 20, the Office Action suggests that *Arecco* discloses these elements at "figure 16 splitter elements 232, 231" and "column 26 lines 59-66." Office Action, page 5. This cited portion of *Arecco* discloses:

In the considered example, a signal S_1 at λ_x is transmitted from node B to node C' and a signal S_2 at wavelength λ_y is transmitted from node C' to node B. Under normal operative conditions, signal S_1 is inserted into the first ring network (Network 1) by node B, passes through node C and is received by node D, where it is split into a first and a second fraction (50% of power) which are sent towards nodes E and D'. This functionality is called "drop and continue".

Arecco, col. 26, lines 59-66. The disclosed splitting of a signal into a first and a second fraction sent towards other nodes does not disclose a rejection block detecting traffic of one or more wavelengths to determine when a first RIC node is unable to communication traffic between first and second optical ring networks. Thus, *Arecco* does not discloses these elements. Therefore, Applicants respectively submit that Claims 1 and 11 are patentable over the cited art used in the rejections and request that the rejections of these claims be withdrawn.

Claims 3-5 and 7-9 each depends from Claim 1, and Claims 13-15 and 17-19 each depends from Claim 11. Thus, for at least the reasons discussed above with respect to Claims 1 and 11, Applicants respectfully request that the rejections of Claims 3-5, 7-9, 13-15 and 17-19 be withdrawn

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Chad C. Walters, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6511.

Although Applicants believe no fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L. L. P.
Attorneys for Applicants

A handwritten signature in black ink, appearing to read "Chad C. Walters", with a stylized flourish at the end.

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